

IN RE: BEXTRA AND CELEBREX
MARKETING SALES PRACTICES AND
PRODUCT LIABILITY LITIGATION

MDL NO. 1699

**Benny Brookins, Jr.,
Gary Gower,
Mae Hummel,
Rick Nail, and
Bonnie Young**

VS.

Pfizer, Inc., et al.

Defendants.

STIPULATION AND ORDER OF DISMISSAL WITH PREJUDICE

Come now the Plaintiff, (RICK NAIL) and Defendants, by and through the undersigned attorneys, pursuant to Federal Rule of Civil Procedure, Rule 41(a), and hereby stipulate to the dismissal of this action with prejudice with each side bearing its own attorneys' fees and costs.

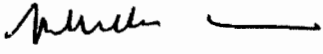
DATED: February 20, 2009

B.

Attorneys for Plaintiffs

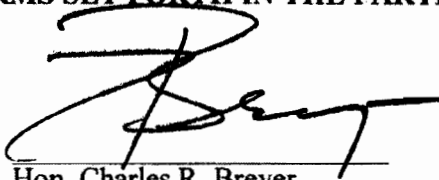
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2 DATED: April 27, 2009

DLA PIPER US LLP

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4 By: 
Michelle Sadowsky
Attorneys for Defendants

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8 **PURSUANT TO THE TERMS SET FORTH IN THE PARTIES' STIPULATION,**
IT IS SO ORDERED.

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10 Dated: APR 30 2009


Hon. Charles R. Breyer
United States District Court